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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,895	12/10/2003	Robert A. Luciano JR.	GAM-02-006	6901
55136	7590	08/18/2006	EXAMINER	
ALLIANCE GAMING CORPORATION 6601 S. BERMUDA ROAD LAS VEGAS, NV 89119			YOO, JASSON H	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/732,895	LUCIANO ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Jasson Yoo	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 May 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 12-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 12-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5-19-06</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is in response to amendment filed on 5/19/06, where Applicant responds to claim rejections, cancel claims (claims 1-11), add new claims (claims 12-20), and submits an information disclosure statement. Claims 12-20 are currently pending.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Luciano et al. (US 2001/0041610).

Luciano discloses the following:

Claim 1; a method for using partial game credits in a gaming environment, the method comprising:

providing at least one gaming machine presenting a game (26 in Fig. 1);  
accepting game credits from the player (smart card reader, voucher reader, cash acceptor, paragraph 38);

initiating a gaming session wherein full credits are used for game play (paragraphs 43, 45, 67); determining a number of game plays available for the partial credits when an insufficient amount of full credits are available for game play (CPU calculate full game credits and partial game credits, paragraphs 43, 45, 67); receiving player input initiating game play using partial credits (user inputs the credit value using one of the player input devices 30, paragraphs 45, 68); automatically playing the determined number of game plays using partial credits as wagers, wherein a single, fixed value is assigned to all winning events using partial credits as wagers (player may elect "let it ride" and play all the credits allocated to the player, paragraph 83); and making an aggregate award value available to the player, wherein the aggregate award value is the product of the number of winning events and the single, fixed value of the winning events (pay tables and awards are scaled within each wager threshold, paragraph 84).

Claim 13, determining the number of game plays available for the partial credits further comprises dividing the value of the partial credits by a wager value, wherein the wager value yields a whole number of game plays greater than one game play (paragraphs 43, 45, 67).

Claim 14, the wager value is \$0.01. Luciano discloses the credit value may be specified as any monetary value (paragraph 42). Luciano further gaming systems accepting wagers with the lowest common denominator, such as \$0.01 (paragraph 11).

Claim 15, the single fixed value is based upon the wager value and a payout percentage of the gaming machine (pay tables and awards are scaled within each wager threshold, paragraph 84).

Claim 16, a method for using partial game credits in a gaming environment, the method comprising:

providing a game on a gaming machine, wherein the gaming machine accepts full credit and partial credit wagers, and wherein a fixed award value is assigned to all winning events based upon partial credit wagers (when player selects a wager, paragraphs 43, 45, 67);

accepting game credits from a player (smart card reader, voucher reader, cash acceptor, paragraph 38);

displaying the number of full credits and partial credits available to the player (paragraphs 45, 67);

initiating a gaming session, wherein full credit wagers are used to play the game (paragraphs 43, 45, 67);

continuing the gaming session using partial credit wagers when there is not enough game credits available for full credit wagers, wherein game play with partial

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credit wagers occurs without player input (player may elect "let it ride" and play all the credits allocated to the player, paragraph 83);

counting and displaying the number of winning outcomes events based upon partial credit wagers (redemption value meter, paragraphs 39, 41, 43; and

presenting an aggregate award value to the player, wherein the aggregate award value is the product of the number of winning outcomes based upon partial credit wagers and the fixed award value (pay tables and awards are scaled within each wager threshold, paragraph 84).

Claim 17, a method for using residual game play credits in a gaming environment, the method comprising:

providing at least one gaming machine presenting a game, wherein every winning game outcome of the game has the same prize value (pay tables and awards are scaled within each wager threshold, paragraph 84);

accepting residual game credits from a player (paragraphs 43, 45, 67)

determining a number of game plays available to the player by dividing the residual game credits by a wager value (paragraphs 43, 45, 67);

generating game outcomes for the determined number of game plays, wherein the game plays occur without player input ("let it ride", paragraph 83; and

awarding an aggregate prize value, wherein the aggregate prize value is the product of the number of winning outcomes and the prize value (pay tables and awards are scaled within each wager threshold, paragraph 84).

Claim 18, receiving player input selecting the wager value (user inputs the credit value using one of the player input devices 30, paragraphs 45, 68).

Claim 19, the wager value is \$0.01. Luciano discloses the credit value may be specified as any monetary value (paragraph 42). Luciano further gaming systems accepting wagers with the lowest common denominator, such as \$0.01 (paragraph 11).

Claim 20, the prize value is based upon the credit value and a payout percentage of the gaming machine (pay tables and awards are scaled within each wager threshold, paragraph 84).

#### ***Response to Arguments***

Applicant's arguments with respect to claims 12-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasson Yoo whose telephone number is (571) 272-5563. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olszewski Robert can be reached on (571)272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JHY



CORBETT B. COBURN  
PRIMARY EXAMINER